

**Approved Minutes of the Additional Meeting of the Impact Assessment Committee
(IACOM)
of Heritage Western Cape (HWC) held on the 1st Floor in the Boardroom, Protea
Assurance Building, Green Market Square, Cape Town,
at 09h00 on Thursday 19 October 2017.**

1. Opening and Welcome

The Chairperson, Mr Chris Snelling opened the meeting at 09H13 and welcomed everyone present.

2. Attendance

Members

Mr Chris Snelling (CSn)
Prof Fabio Todeschini (FT)
Prof Lucien le Grange (LLG)
Mr Frik Vermeulen (FV)
Mr Siphwo Mavumengwana (SM)
Ms Joline Young (JY)
Ms Ceciline Muller (CM)

Staff

Mr Zwelibanzi Shiceka (ZS)
Ms Penelope Meyer (PMe)
Mr Andrew September (AS)
Mr Zethembe Khuluse (ZK)
Mr Olwethu Dlova (OD)
Ms Phindiwe Muncu (PMu)

Observers

None

Visitors

Mr Piet Louw
Dr Nicolas Baumann
Mr Quinton Miller
Mr David Halkett
Ms Sarah Winter
Prof David Dewar
Mr Rory Williams

Absent

Mr Steven Walker

3. Apologies

Mr Guy Thomas (GT)
Ms Colette Scheermeyer (CSc)

- 3.1. The Committee noted the formal resignation of Ms Natasha Higgitt, due to her workload and commitments at SAHRA.

4. Approval of the Agenda

- 4.1 The Committee resolved to approve the agenda dated 19 October 2017 with additions.

5. Approval of Minutes of Previous Meeting

- 5.1 None

6. Disclosure of Interest

- JY: Item 16.1
- SM: Item 16.2

7. Confidential Matters

7.1 None

8. Appointments

8.1 None

9 Administrative Matters

9.1 Mount Prospect, Constantia

- The Committee was informed that the Department of Environmental Affairs and Development Planning (DEADP) had issued an Environmental Authorization for this project.
- AS has arranged a meeting with the relevant case officer at DEADP.
- AS to request reasons for the authorisation, in light of HWC's strong objection to the development proposal in its current form, and reasons as to why the agreed SOP was not followed.
- AS to forward the DEADP decision to members of the Committee.
- The Committee recommends that HWC appeal the decision and, following receipt of the decision and reasons given, this will be tabled at the ExCo meeting of 20th October 2017.

10 Standing Items

10.1 Discussion of agenda

MATTERS TO BE DISCUSSED

11 SECTION 38(2) RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

11.1 None

12 SECTION 38(1) INTERIM COMMENT

12.1 None

13 SECTION 38(4) RECORD OF DECISION

13.1 None

14 SECTION 38(8) NEMA RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP

14.1 None.

15 SECTION 38(8) NEMA INTERIM COMMENTS

15.1 None

16 SECTION 38(8) NEMA FINAL COMMENTS ON ENVIRONMENTAL IMPACT ASSESSMENT

**16.1 Proposed Mixed-Use Development on Portion 7 And 10 of Farm 1674, Boschendal, Stellenbosch: MA
HM/STELLENBOSCH/PORCION 7 AND 10 OF FARM BOSCHENDAL 1674**

Case No: 15052003AS0525M

Revised Heritage Impact Assessment (HIA) and associated documents were tabled.

JY recused herself and left the room.

Mr Andrew September gave a PowerPoint presentation.

Mr Piet Louw, Ms Sarah Winter, Dr Nicolas Baumann, Prof David Dewar, Mr Quinton Miller and Mr Rory Williams were present and took part in the discussion.

The Committee were informed by the Case Officer that interested parties who had objected to the proposed development had been notified of, and invited to attend, the meeting.

Amongst other things, the following was discussed:

- The Committee commended the HIA report, as well as the urban design indicators. The proposed urban design framework was considered exemplary and was noted as setting appropriate precedent for development models for small towns and villages within rural landscapes.
- The principles of a compact village, with a strong urban edge and gradation of heights from north to south, with intense landscaping along the scenic route, were endorsed.
- The urban design response to the indicators was also endorsed in principle.
- Some concern was raised regarding areas of three-storey development in this particular rural context, in close proximity to a scenic route, as well as proposed heights within the green corridor. It was suggested that any third storeys should rather be accommodated in lofts. Taller focal points/tower structures could however be provided in public precincts.
- The proposed traffic circle on the southern edge of the development was not supported, as it was considered to be a suburban rather than a rural Cape Village settlement typology.
- The developers assured the Committee that the development will not be a gated village. This will be safeguarded by means of right-of-way servitudes in favour of the public. Only private neighbourhood streets would have access control.
- It was noted that the development would be phased and that a 'package of plans' process would be followed, with precinct plans to be submitted to HWC for approval, in due course.
- The Committee noted that the subject site was largely a vacant 'brownfield' site and that the proposed development would not displace agricultural uses.
- Notwithstanding the general support for the physical form of the development, the Committee was unanimous in respect of its concern regarding whether the development would facilitate meaningful social restitution and integration. It was noted that this development must also be seen against the background of a history of slavery and dispossession in the greater Dwars River Valley and the needs of the vulnerable communities in the vicinity.

- Tied to this is the concern that areas of the development have real potential to become exclusive and gated communities that would entrench the notion of separation, and in this regard, any physical closure of precincts within the development was not supported by the Committee.
- The Committee noted that a Social Impact Assessment (SIA) was submitted, as previously requested. The SIA concludes that the socio-economic benefits to be derived from the proposed development will have positive impacts, including business, employment and housing opportunities, community facilities and the generation of funds for community development initiatives.
- The developers' undertaking that 10% of the total number of residential units will be allocated at subsidised rentals for 'key workers' was noted. The Committee however questioned the adequacy of this allocation of subsidised units. It was recommended that the developer gives further consideration to this aspect.
- The developers' commitment to pay 5% of the value of the initial sale of all properties and 0.5% of all subsequent sales to the Boschendal Treasury Trust (BTT), to be used to support development in the Dwars River Valley, was also noted. The Committee however questioned the adequacy of these financial contributions. It was recommended that the developer give further consideration to this aspect and that discussions be held with the BTT and other stakeholders.
- Concern was also expressed regarding the absence of low-income housing in the development. It was noted that that this development is situated within a larger development node identified by the Stellenbosch Municipality and it was recognised that in-principle, the provision of low-income housing within this greater area was the responsibility of the Municipality and not necessarily one that the private sector is able to address on its own. To this end, it is a strong recommendation from this Committee that the Municipality identifies suitable land at an accessible location in the greater node and provide housing for the local community. The Municipality should actively facilitate a working partnership between private developers, itself, and the wider Dwars River Valley community for the provision of a wholly integrated node and not one which, on a smaller scale, has potential to replicate separate spatial planning models.

FINAL COMMENT

The Committee endorses the HIA report as having met the provisions of S.38(3) of the NHRA and supports development Alternative 5 in principle, subject to the following:

1. Design development must proceed in accordance with the Urban Design Framework dated November 2015 (Annexure E in the HIA report) and the Heritage Indicators (Section 8 of the HIA report).
2. The proposed residential erven in Precinct F2 must be reduced in extent to exclude the existing orchard from the proposed development, as shown in Alternative 5c.
3. More refined articulation of building elevations and roofscapes in Precincts E1 and E2 must be undertaken at the Precinct Plan level.
4. The Landscape Framework Plan prepared by CNdV Landscape Architects must be implemented.
5. An Integrated Environmental Management Plan must be formulated to address mandatory controls and guidelines related to lighting, signage and architectural and landscaping treatment included in the HIA report and formulated in Section 5 of the Urban Design Framework.
6. In accordance with the 'package of plans' approach, precinct plans for all precincts must return to HWC for approval, together with precinct level heritage assessment.

7. Future transport proposals, including proposed road geometries, must be subject to detailed design, particularly with respect to place-making qualities, pedestrian access, non-motorised transport and public transport, and be incorporated into precinct level plans and heritage assessment referred to above.
8. The proposed traffic circle on the southern edge of the development is not supported. A revised proposal must be submitted to HWC at Precinct Plan stage.
9. A Phasing Plan must be prepared to ensure an integrated form of development that is tied in with landscape mitigation. Each phase should be implemented as a completed development, including all hard and soft landscaping.
10. Precincts A and B shall be fully publicly accessible, and the closing off of the precincts beyond, which would have potential for the creation of gated communities, must be avoided. In light of the developer's assurance that this will not be a gated village, details of public vs private domains and possible access control must be provided to HWC for scrutiny at Precinct Plan stage.
11. It is finally a recommendation that the Municipality takes note of the concerns that have been raised by this Committee in respect of the provision of a fully integrated planning model for the node, and the facilitation of a working partnership between itself, private developers and local communities in order to achieve this.

AS

**16.2 Proposed 75Mw Bonnievale PVSEF on PTN 19 Farm Oudekraal 170, PTN 6 & Rem of Farm Sandfontein 232, Bonnievale: MA
HM/CAPE WINELANDS/BREEDE RIVER WINELANDS/BONNIEVALE/ PTN 19 FARM 170, PTN 6 AND REM OF FARM 232**

Case No: 15072411WD0723M

An Environmental Authorisation by the Department of Environmental Affairs (DEA), dated 2 August 2017 was tabled.

SM recused himself and left the room.

AS provided a brief PowerPoint presentation as an aide memoire.

Mr David Halkett was present and took part in the discussion.

The relevant sections of the Environmental Authorization and DEA's conditions were read out and noted by the Committee.

FINAL COMMENT

1. The Committee notes with concern that an Environmental Authorisation had been issued by the DEA, despite HWC's HIA requirements not having been met at the time.
2. The Committee notes that the scale and cumulative visual impacts of the proposal have been reduced through the omission of the North East portion of PV array.
3. The Committee notes that the HIA, including the supplementary cultural landscape assessment, now complies with the provisions of S.38(3) of the NHRA.
4. The Committee awaits the submission of the EMPr to HWC, as required in the Environmental Authorisation and will comment thereafter.

WD

17 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN RESPONSES TO NOTIFICATION OF INTENT TO DEVELOP

17.1 None

18 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN INTERIM COMMENT

18.1 None

19 SECTION 38(8) MPA ENVIRONMENTAL MANAGEMENT PLAN FINAL COMMENT

19.1 None

20 SECTION 38(8) OTHER LEGISLATION NOTIFICATION OF INTENT TO DEVELOP

20.1 None

21 SECTION 38(8) OTHER LEGISLATION INTERIM COMMENT

21.1 None

22 SECTION 38(8) OTHER LEGISLATION FINAL COMMENT

22.1 None

23 SECTION 42 – HERITAGE AGREEMENT

23.1 None

24. OTHER

24.1 None

25 Adoption of decisions and resolutions

25.1 The Committee agreed to adopt the decisions and resolutions.

26. **CLOSURE –** 12: 00

27. **DATE OF NEXT MEETING:** 8 November 2017

CHAIRPERSON _____ **DATE** _____

SECRETARY _____ **DATE** _____